

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 004723

SIPDIS

E.O. 12958: DECL: 07/20/2015

TAGS: [PGOV](#) [PHUM](#) [KPAO](#) [PINS](#) [PROP](#) [TH](#) [HUMAN](#) [RIGHTS](#)

SUBJECT: TRIAL BEGINS IN LIBEL CASE FOR RESPECTED THAI  
MEDIA ADVOCATE

REF: A. BANGKOK 03522

[1](#)B. 04 BANGKOK 08272

[1](#)C. 04 BANGKOK 06316

Classified By: Deputy Chief of Mission, Alex A. Arvizu, Reason 1.4 (d)

[1](#)1. (C) SUMMARY. On July 19, witnesses for the prosecution began their arguments in the case of Shincorp versus Thai media activist Supinya Klangnarong. Supinya is being sued for libel over comments that she made in a 2003 interview with the Thai Post. Supinya told Poloffs she was disappointed that her case had barely registered with the Thai media and general public. Supinya expressed concern that her case, and that of community radio broadcaster Anchalee Paireerak, represented renewed pressure from the RTG against freedom of the press, including web-based media. END SUMMARY

[1](#)2. (SBU) On July 19, witnesses for the prosecution began their arguments in the case of Shincorp versus Thai media activist Supinya Klangnarong. Supinya is being sued for libel over comments she made in a 2003 interview with the Thai-language daily newspaper "Thai Post." Poloffs met with Supinya on July 15 to discuss her case. In the article in question, which was printed under a column called "Freedom of Thought," Supinya stated that Shincorp, which is owned by the family of PM Thaksin Shinawatra, had experienced skyrocketing profits since the Thai Rak Thai Party (TRT) took office. She also said that the Prime Minister had instituted policies which benefited the company, and that Shincorp,s added income will financially strengthen the Thai Rak Thai party. Shincorp, she said, had received concessions from state agencies, which allowed the company to maintain its wealth "forever." While her remarks might be construed as controversial, they were not generally regarded here as either libelous or particularly inflammatory.

[1](#)3. (C) Supinya told Poloffs that approximately fifty prominent freedom of the press advocates from around the world would appear at her trial as defense witnesses. She was hopeful that this could tilt the outcome of the case in her favor. The names of the foreign witnesses were not being made public in order to ensure that they would not have any problems entering or leaving the country.

#### DISAPPOINTMENT WITH THE THAI MEDIA

[1](#)4. (U) In marked contrast to the publicity her case has attracted abroad, Supinya expressed disappointment that the Thai press has expressed little interest in covering her story. As Secretary-General of the local NGO Campaign for Popular Media Reform, Supinya has dedicated much of her time and energy to fight for a free press in Thailand, and she was surprised that the Thai media had not rallied behind her in a big way.

[1](#)5. (SBU) Witnesses are scheduled to testify through October, and Supinya is hopeful that the judges will make a decision before the end of the year. However, the trial could easily continue into early 2006. Supinya seemed resolved to continuing fighting the case, but the case has clearly taken a toll on her physically and emotionally. She noted that it was now much harder for her to speak out freely on issues of press freedom, and that if she was found guilty, having a criminal record could reduce her room for maneuver in future human rights activities, as well as complicate her personal and professional life.

#### A NEW DRIVE TO RESTRICT FREEDOM OF THE PRESS?

[1](#)6. (C) Supinya also expressed concern for the case of Anchalee Paireerak. Ms. Anchalee, a prominent government critic, had her website and radio show shut down by Thai authorities in mid-June, based on some legal technicalities. She has since reported that she has received physically threatening phone calls, and has been followed by uniformed police. By contrast, Supinya stated that she has received no physical threats of any kind, but that she worries that their two cases are part of drive on the part of the RTG to restrict criticism of the government by keeping a tighter leash on the press.

[1](#)7. (C) COMMENT: How the court will ultimately rule is an open question. One precedent was set in December 2004 when the Criminal Court dropped libel charges filed by eight

Constitutional Court judges (Ref B) against another government critic, in a case that received far more publicity and government scrutiny than Supinya,s. Shincorp seems determined to pursue these David-vs.-Goliath libel cases despite the attendant negative publicity, and despite some judicial setbacks like December 2004. Even then, although the Criminal Court threw out the Constitutional Court's case, they still found the defendant in contempt of court. This was widely seen as an effort to "satisfy" both sides. END COMMENT

BOYCE